

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

MARCOS I. MARQUEZ HERNANDEZ  
MARGARITA ABREU GONZALEZ

DEBTORS

CASE NO 13-09987 MCF

CHAPTER 13

**DEBTORS' REPLY TO TRUSTEE'S MOTION ON NON DELIVERY OF TAX REFUNDS  
DOCKET NO. 45**

TO THE HONORABLE COURT:

COME NOW, MARCOS IGNACIO MARQUEZ HERNANDEZ and MARGARITA ABREU GONZALEZ, the Debtors in the above captioned case, through the undersigned attorney, and very respectfully state and pray as follows:

1. The Chapter 13 Trustee filed a Trustee's Motion On Non Delivery of Tax Refunds, Docket No. 45, basically stating that the Trustee had not received the "tax refunds" provided for in the Debtors' confirmed Plan, specifically for the years 2013, 2014, 2015 and 2016.

2. In reply to the Trustee's motion on non delivery of tax refunds, the Debtors respectfully state that on November 20, 2017, the Debtors sent to the Trustee (uploaded to Trustee's system) a copy of the Debtors' tax returns for the years 2013, 2014, 2015 and 2016.

3. Furthermore, the Debtors respectfully submit that during the life of the Plan they did/did not receive tax refunds as follows:

2013	\$286.00
2014	\$182.00
2015	\$ 0.00
<u>2016</u>	<u>\$ 0.00</u>
TOTAL	\$468.00

4. The Debtors respectfully state that they did receive tax refunds for a total of \$468.00 during the life of the Plan. The Debtors respectfully state that they forgot to pay to

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the Trustee the aforestated amount of \$486.00 in order to comply with the confirmed Plan provisions or to request a prior authorization for the use of these funds.

5. Due to the passage of hurricane Maria through Puerto Rico, the Debtors, who live in the Town of Naguabo, have had to incur in extraordinary expenses to cover for daily basic needs. The Debtors are unable to pay the Trustee the total sum of \$486.00, and respectfully propose to pay the Trustee the sum of \$234.00 (50% of the total sum for tax refunds) in order to cure the issue with the tax refunds and increase their Plan base, accordingly.

6. The Debtors are up-to-date in the confirmed Plan payments to the Chapter 13 Trustee.

**WHEREFORE**, the Debtors hereby respectfully reply to the Trustee's Motion On Non Delivery of Tax Refunds, Docket No. 45, and respectfully request that for the above stated reasons, the Trustee's motion, Docket No. 45, be denied.

**I HEREBY CERTIFY** that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee Alejandro Oliveras Rivera, Esq.; and also certify that I have mailed by United States Postal Service copy of this motion to the following non-participants: the Debtors, Marcos Ignacio Marquez Hernnadez and Margarita Abreu Gonzalez, Bo Mariana Box 225 13 Naguabo PR 00718, in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 20<sup>th</sup> day of December, 2017.

/s/Roberto Figueroa Carrasquillo  
USDC #203614  
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